

# Montana Democratic Women's Legislative Caucus

EXHIBIT 6  
DATE 2-13-09  
HB HJ 11

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Health and Human Services Committee  
Support for House Joint Resolution 11  
February 13, 2009

Madame Chair, members of the Committee

The Democratic Women's Caucus urges your support of HJ 11 to study the impact of the Family Medical Leave Act. As you know, the FMLA provides guaranteed unpaid leave and job protection to employees care for new baby, an adopted child, or to deal with a serious illness whether their own or that of a family member.

Family medical leave helps working people deal with the responsibilities of family without losing their employment. However, family medical leave is only available to employees in the private sector who work for employers who have more than 50 employees and those who work for governmental agencies.

Most states have adopted some form of state-specific family leave for employers with fewer than 50 employees. Montana law allows 15 working days family leave for state employees. Montana also provides reasonable leave for pregnancy for workers regardless of the size of the business.

Most people in Montana work for businesses with far fewer than 50 employees and therefore do not have access to family medical leave. This study would give us information about what aspects of the FMLA are working or not working for employers and employees in Montana and help us determine what strategies would work best for business owners and their employees.

Thank you and please vote Do Pass on HJR 11

# Fact Sheet

IWPR #A131

August 2007

## Maternity Leave in the United States

### Paid Parental Leave Is Still Not Standard, Even Among the Best U.S. Employers

Nearly one-quarter (24 percent) of the best employers for working mothers provide four or fewer weeks of paid maternity leave, and half (52 percent) provide six weeks or less, according to an Institute for Women's Policy Research analysis of data provided by Working Mother Media, Inc., publisher of *Working Mother* magazine. Nearly half of the best companies fail to provide any paid leave for paternity or adoption. Each year Working Mother selects the 100 family-friendliest companies in the United States by reviewing employer questionnaires describing their "workforce profile, compensation, child care, flexibility, time off and leaves, family-friendly programs and company culture."<sup>1</sup> While more than one-quarter of companies (28 percent) provide nine or more weeks of paid maternity leave, many of the winners' paid parental leave policies fall far short of families' needs. No company provides more than six weeks of paid paternity leave and only 7 of the 100 best companies provide seven weeks or more of paid adoptive leave.

An Institute for Women's Policy Research review of the Working Mother 2006 100 Best Companies finds that 7 percent of the highest-ranked companies offer no paid maternity leave, and another 7 percent provide only one to two weeks, as shown in Table 1. Some companies model more adequate standards, however. Goldman, Sachs & Co. offers 16 weeks of paid maternity leave, plus 4 weeks for new fathers and 8 for adoptive parents. Eighteen weeks of paid leave is standard for birth mothers at Pillsbury Winthrop Shaw Pittman LLP. New moms with five years of job tenure at Johnson & Johnson, ranked in the top ten of the 100 winners, receive 26 paid weeks of maternity leave.

**Table 1. Working Mother 100 Best Companies, 2006:  
Percent offering paid maternity leave for birth mothers, by maximum leave length**

Number of weeks of paid maternity leave	Percent of companies offering specified number of weeks	Cumulative percent of companies offering some paid maternity leave
more than 12 weeks	8%	8%
11 to 12 weeks	11%	19%
9 to 10 weeks	9%	28%
7 to 8 weeks	20%	48%
5 to 6 weeks	28%	76%
3 to 4 weeks	10%	86%
1- 2 weeks	7%	93%
0 weeks <sup>a</sup>	7%	

Note: Years on the job influence the amount of paid maternity leave an individual worker may be entitled to in many establishments. This table shows the longest possible amount of paid leave.

<sup>a</sup> Zero weeks includes companies for which no data are provided on paid maternity leave.

Source: Institute for Women's Policy Research analysis of Working Mother Media, Inc.'s employment survey for the 2006 Working Mother 100 Best Companies, as presented at <http://www.workingmother.com/web?service=vpage/77> (copyright 2007; retrieved 7/12/2007).

# Fact Sheet

IWPR #B254a

February 2007

## Women and Paid Sick Days: Crucial for Family Well-Being

Balancing work with personal and family health-care concerns is a major stressor for many working women. Women continue to be overrepresented in part-time and low-wage positions, those least likely to offer employer benefits such as paid sick days. Nevertheless, working women remain our families' primary caregivers. For too many women, being sick or having an ill family member presents an untenable choice: stay at work when you shouldn't, or lose pay (and perhaps a job) by staying home.

### More than 22 million working women lack basic sick days benefits

- ◇ More than 22 million working women (22,416,000) do not have paid sick days (Table 1).<sup>1</sup>
- ◇ 47 percent of women working in the private sector have no paid sick days.<sup>2</sup>
- ◇ In the industries that employ the most women—retail trade and accommodations/food service—55 percent and 78 percent of workers are without paid sick days, respectively (Table 2). In those two industries alone, almost 9 million women (8,780,000) lack paid sick days.<sup>3</sup>
- ◇ 27 percent of low-income women (with incomes below 200 percent of the poverty level) put off getting health-care because they cannot take time off from work. 18 percent of women at all income levels face this situation.<sup>4</sup>

**Table 1. Percent and number of women workers with and without paid sick days, 2006**

	Women workers with paid sick days		Women workers without paid sick days		Total number of women workers
	Percent	Number	Percent	Number	
Private sector	53	23,392,000	47	20,979,000	44,371,000
Federal, state, and local government	88	10,801,000	12	1,437,000	12,239,000
Total, private and public sectors	60	34,194,000	40	22,416,000	56,609,000

Note: Rows and columns may not sum to totals due to rounding. Self-employed, private household, agricultural, and military workers are excluded.

Source: Institute for Women's Policy Research analysis of the March 2006 National Compensation Survey, the November 2005 through October 2006 Current Employment Statistics, and the November 2005 through October 2006 Job Openings and Labor Turnover Survey.

**Table 2. Number of women workers in the seven largest private-sector industries for women, by percent of workers without paid sick days, 2006**

Seven largest industries for women	Number of women employed (thousands)	Percent of workers without paid sick days	Number of women without paid sick days (thousands)
Accommodation and food service	5,947	78	4,639
Administration and waste services	3,326	69	2,295
Retail trade	7,529	55	4,141
Manufacturing	4,096	48	1,966
Professional and technical services	3,413	31	1,058
Health care and social assistance	3,413	29	990
Finance and insurance	3,937	18	709
<b>Total</b>	<b>31,660</b>	<b>50</b>	<b>15,797</b>

Note: Columns may not sum to totals due to rounding. Self-employed, private household, agricultural, and military workers are excluded.

Source: Institute for Women's Policy Research analysis of the March 2006 National Compensation Survey, the November 2005 through October 2006 Current Employment Statistics, and the November 2005 through October 2006 Job Openings and Labor Turnover Survey.

## Women are still the primary family caregivers

- ◇ 80 percent of mothers assume primary responsibility in the family for selecting their children's doctor, taking children to doctor's appointments, and arranging for their children's follow-up care.<sup>5</sup>
- ◇ 40 percent of working mothers lack both sick and vacation leave, and 53 percent of working mothers cannot take days off for sick children. (Working fathers have more flexibility: 30 percent lack both sick and vacation leave, and 48 percent cannot stay home when their children are sick.)<sup>6</sup>
- ◇ Half (49 percent) of working mothers must miss work when their child is sick with a minor illness, such as a cold or ear infection (compared with 30 percent of working fathers).<sup>7</sup>
- ◇ Half (49 percent) of all working mothers who do stay home with sick children do not get paid for the time off. 75 percent of women living in poverty do not get paid when they must miss work to care for a sick child.<sup>8</sup>

## Most women in low-wage jobs have no paid sick days

- ◇ 57 percent of women workers in the ten largest low-wage occupations for women are without paid sick days (Table 3 and Figure 1).

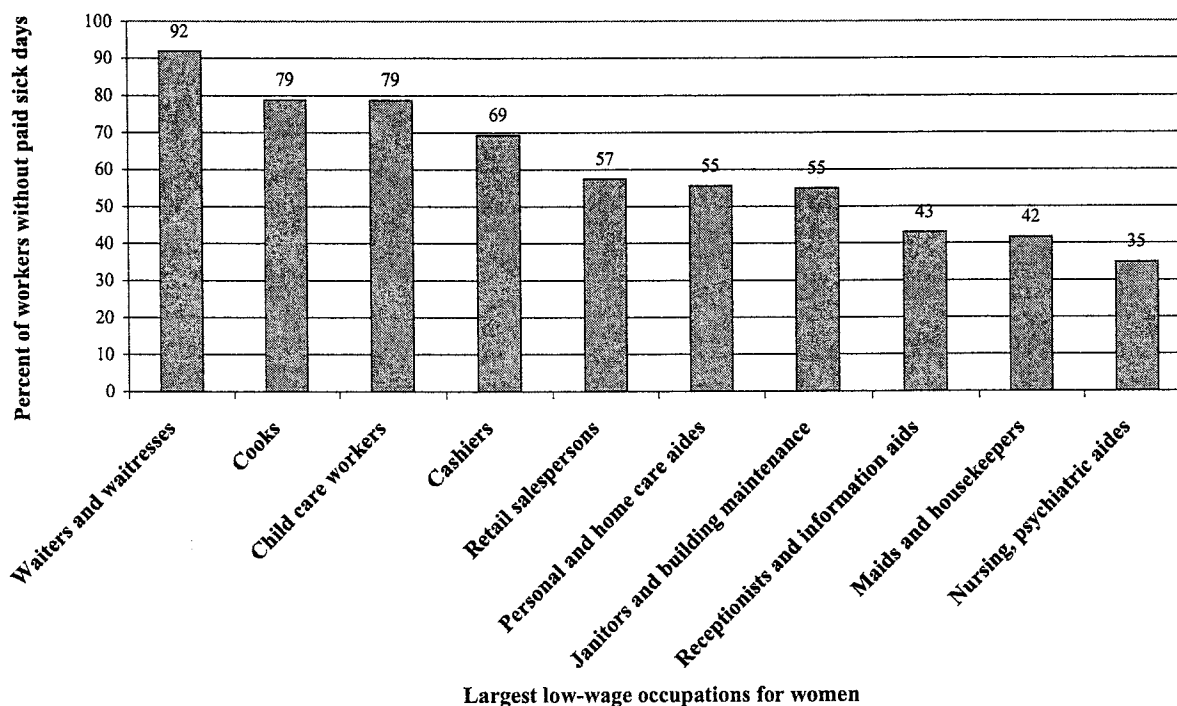
**Table 3. Number of women workers without paid sick days in the ten largest low-wage occupations for women, by percent of workers without paid sick days, 2006 (full-time wage and salary workers) <sup>9</sup>**

Ten largest low-wage occupations for women	Number of women employed (in thousands)	Percent of workers without paid sick days	Number of women without paid sick days (in thousands)
Waitresses	556	92	512
Cooks	433	79	342
Child care workers	414	79	327
Cashiers	1,064	69	734
Retail salespersons	810	57	462
Personal and home care aides	328	55	180
Janitors and building cleaners	421	55	232
Receptionists and information clerks	846	43	364
Maids and housekeepers	724	42	304
Nursing, psychiatric, home health aides	1,181	35	413
Total	6,777	57	3,870

Note: Columns may not sum to totals due to rounding.

Source: Institute for Women's Policy Research analysis of the March 2006 National Compensation Survey, the November 2005 through October 2006 Job Openings and Labor Turnover Survey, and Highlights of Women's Earnings in 2005 (U.S. Bureau of Labor Statistics Report 995).

**Figure 1. Percent of workers without paid sick days in the ten largest low-wage occupations for women**



Source: Institute for Women's Policy Research analysis of the March 2006 National Compensation Survey and the November 2005 through October 2006 Job Openings and Labor Turnover Survey.

## Methodology

Paid sick days coverage rates are from the Institute for Women's Policy Research (IWPR) analysis of the March 2006 National Compensation Survey (NCS), a nationally representative U.S. Bureau of Labor Statistics (BLS) payroll survey of more than 10,000 private-sector establishments. (Private household, agricultural, and military employers and the self-employed are not included.) The March 2006 NCS did not survey local and state governments, so participation rates for workers in those sectors are from IWPR's analysis of the 1996-1998 Employee Benefits Survey, the precursor to the NCS.<sup>10</sup> The NCS data are on whether *jobs* are covered by a paid sick days policy; incumbents in those jobs may not yet have met employer-imposed eligibility thresholds related to job tenure. To adjust for eligibility, data from the BLS' Job Openings and Labor Turnover Survey on the percent of workers who are new hires, by industry, were multiplied by the average number of days between date of hire and eligibility for paid sick days (78 days); NCS "access" rates were reduced by the results.

<sup>1</sup> Institute for Women's Policy Research analysis of the March 2006 National Compensation Survey, the November 2005 through October 2006 Current Employment Statistics, and the November 2005 through October 2006 Job Openings and Labor Turnover Survey.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Salganicoff, Alina, Usha R. Ranji, and Roberta Wyn. 2005. *Women and Health Care: A National Profile*. Melona, CA: Kaiser Family Foundation.

<sup>5</sup> Salganicoff, Ranji, and Wyn 2005.

<sup>6</sup> Heymann, Jody S. 2000. *The Widening Gap: Why America's Working Families Are in Jeopardy and What Can Be Done About It*. New York: Basic Books.

<sup>7</sup> Wyn, Roberta, and Ojeda, Victoria. 2003. *Women, Work, and Family Health: A Balancing Act*. Melona, CA: Kaiser Family Foundation.

<sup>8</sup> Ibid.

<sup>9</sup> An occupation is designated as low-wage if at least one-third of its incumbents earn poverty wages (less than \$9.62 per hour), according to Institute for Women's Policy Research analysis of the 2005 monthly Current Population Surveys. Data not shown for Preschool and kindergarten teachers, which employs 495,000 women, due to inadequate sample size for determining paid sick days coverage. Employment data by occupation are from the U.S. Bureau of Labor Statistics' *Highlights of Women's Earnings in 2005*. Paid sick days participation data are from the Institute for Women's Policy Research analysis of the March 2006 National Compensation Survey and the November 2005 through October 2006 Job Openings and Labor Turnover Survey.

<sup>10</sup> Lovell, Vicky. 2004. *No Time to be Sick: Why Everyone Suffers When Workers Don't Have Paid Sick Leave*. IWPR Publication No. B242. Washington, D.C.: Institute for Women's Policy Research.

*This Fact Sheet was written by Vicky Lovell, Ph.D.*

*Funding was provided by the Ford Foundation and the Annie E. Casey Foundation.*

For more information on IWPR reports or membership, please call (202) 785-5100,  
email [iwpr@iwpr.org](mailto:iwpr@iwpr.org), or visit [www.iwpr.org](http://www.iwpr.org).

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